

AMENDED IN SENATE AUGUST 22, 2002

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AMENDED IN SENATE JULY 3, 2001

AMENDED IN ASSEMBLY JUNE 4, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1105

**Introduced by Assembly Members Simitian and Shelley
(Coauthor: Assembly Member Diaz)**

February 23, 2001

An act to to add and repeal Sections 11400.4, 11400.5, and 11462.02 of, the Welfare and Institutions Code, relating to public social services, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1105, as amended, Simitian. Foster care: group homes: San Mateo County.

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers, including foster family homes, on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with ~~money~~ *moneys* from the General Fund being continuously appropriated to pay for the state's share of AFDC-FC costs.

Existing law imposes various requirements that must be met as a condition of licensing of community care facilities, including group homes, and provides for the licensure of those entities by the State Department of Social Services.

Under existing law, the AFDC-FC program provides for a group reimbursement rate classification schedule that is based upon the level of services being provided.

This bill would permit the County of San Mateo, until January 1, ~~2008~~ 2005, to operate a youth crisis/residential treatment facility. This bill would require the facility to meet specified requirements, to be licensed by the department, and to be eligible for AFDC-FC group home reimbursement, as prescribed. This bill would also require the county to report to the department *and the appropriate committees of the Legislature by April 1, 2004*, on specified items relating to the program.

This bill would provide that no appropriation shall be made pursuant to the provision continuously appropriating funds for the AFDC-FC ~~Program~~ program, for the purposes of funding the bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~ ^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11400.4 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 11400.4. (a) Notwithstanding subdivision (h) of Section
- 4 11400, for purposes of this article, “group home” also means a
- 5 county-operated home, as provided for under Section 11400.5.
- 6 (b) This section shall remain in effect only until January 1,
- 7 ~~2008~~ 2005, and as of that date is repealed, unless a later enacted
- 8 statute, that is enacted before January 1, ~~2008~~ 2005, deletes or
- 9 extends that date.
- 10 SEC. 2. Section 11400.5 is added to the Welfare and
- 11 Institutions Code, to read:
- 12 11400.5. (a) The County of San Mateo may operate a youth
- 13 crisis/residential treatment facility for up to 12 youths who are
- 14 seriously emotionally disturbed to demonstrate that length of
- 15 out-of-home placement can be shortened when interagency

1 partners, including mental health, human services, and juvenile
2 probation and the youth's parents or responsible caregivers are
3 directly involved in the development of treatment and aftercare
4 plans from the initiation of the residential placement.

5 (b) The facility shall be licensed by the ~~department~~
6 *department's* Community Care Licensing Division and shall be
7 staffed and structured to be eligible for a Rate Classification
8 *License* (RCL) 13/14 pursuant to Section 11462.

9 (c) The County of San Mateo's facility's program shall
10 implement a "no eject/no reject" policy.

11 (d) The facility's program shall receive policy oversight from
12 the San Mateo County Board of Supervisors.

13 (e) The county shall report to the department ~~by January 1,~~
14 ~~2005, and January 1, 2007~~ *and the appropriate committees of the*
15 *Legislature by April 1, 2004*, on all of the following items:

16 (1) The average length of residential placement in the program
17 and the average length of residential placement in comparable
18 RCL 13/14 youth residential treatment programs.

19 (2) The number of youth admitted to the program who have
20 acute psychiatric hospitalizations during their residential stay.

21 (3) The average annual inpatient psychiatric days for youth
22 involved in the Children and Youth System of Care in the two years
23 prior to the implementation of the program.

24 (4) The County of San Mateo's annual out-of-home placement
25 rate in the two years prior to the implementation of the program
26 and in the years following the implementation of the program.

27 (5) Annual rating of the program by the youth, parents, or
28 caregivers.

29 (f) This section shall remain in effect only until January 1, ~~2008~~
30 ~~2005~~, and as of that date is repealed, unless a later enacted statute,
31 that is enacted before January 1, ~~2008~~ ~~2005~~, deletes or extends that
32 date.

33 SEC. 3. Section 11462.02 is added to the Welfare and
34 Institutions Code, to read:

35 11462.02. (a) Notwithstanding paragraph (2) of subdivision
36 (a) of Section 11462, a foster care provider licensed as a group
37 home may also have a rate established if the group home is a
38 county-operated home, as provided for under Section 11400.5.

1 (b) This section shall remain in effect only until January 1,
2 2008, and as of that date is repealed, unless a later enacted statute,
3 that is enacted before January 1, 2008, deletes or extends that date.

4 SEC. 4. No appropriation pursuant to Section 15200 of the
5 Welfare and Institutions Code shall be made for the purpose of
6 funding this act.

7 SEC. 5. *This act is an urgency statute necessary for the*
8 *immediate preservation of the public peace, health, or safety*
9 *within the meaning of Article IV of the Constitution and shall go*
10 *into immediate effect. The facts constituting the necessity are:*

11 *In order to expeditiously authorize operation of a foster care*
12 *group home to serve seriously emotionally disturbed youth in San*
13 *Mateo County, thereby alleviating the county's severe shortage of*
14 *available placements of this kind, it is necessary that this act take*
15 *effect immediately.*

